

## **REMARKS**

Claims 1-27 and 32-35 are pending in the present Application. Claims 9, 11, 21, 23, and 27 are withdrawn, Claims 4 and 35 have been cancelled and Claims 1 and 32 have been amended, leaving Claims 1-3, 5-27 and 32-34 for consideration upon entry of the present Amendment.

Claims 1 and 32 have been amended to incorporate the limitations of Claims 4 and 35 as well as an upper bound for the dimensional ratio as found in the Examples.

Reconsideration and allowance of the claims are respectfully requested in view of the above amendments and the following remarks.

### Claim Rejections Under 35 U.S.C. § 112, First Paragraph

Claim 35 stand rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the Specification in such a way as to reasonably convey to one skilled in relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Claim 35 has been canceled.

### Claim Rejections Under 35 U.S.C. § 102(b)

Claims 1, 8, 10, 12-20 and 22 stand rejected under 35 U.S.C. § 102(b), as allegedly anticipated by U.S. Patent No. 6, 534,564 to Hanejko et al. (Hanejko). Applicants respectfully submit that this rejection has been overcome by the inclusion of subject matter from non-rejected claims.

Claim Rejections Under 35 U.S.C. § 103(a)

Claims 2, 3, 5-7, 24, 25 and 33-35 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over U.S. Patent No. 6,534,564 to Hanejko et al. (Hanejko). Applicants respectfully submit that this rejection has been overcome by the inclusion of subject matter from non-rejected claims.

Claim 32 stands rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Hanejko in view of U.S. Patent No. 6,359,043 to Gijzen. Applicants respectfully traverse this rejection. Applicants respectfully submit that this rejection has been overcome by the inclusion of subject matter from non-rejected claims.

Claims 1, 3, 4, 15-20, 22, 24-26, 33 and 34 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over JP 2000-302877 to Yamamoto et al. (Yamamoto '877). Applicants respectfully submit that this rejection has been overcome by the inclusion of subject matter from non-rejected claims.

Claims 2, 5 and 6 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Yamamoto '887, as applied to claims 1, 3, 4, 15-20, 22, 24-26, 33 and 34, above and further in view of Modern Plastics Handbook, edited by Charles A. Harper, Knovel release date: November 20, 2002 (The Handbook). Applicants respectfully submit that this rejection has been overcome by the inclusion of subject matter from non-rejected claims.

Claim 7 stands rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Yamamoto '887 and The Handbook, as applied to claims 2, 5 and 6 above, and in further view of U.S. Patent No. 5,294,667 to Weiss et al. (Weiss). Applicants respectfully submit that this rejection has been overcome by the inclusion of subject matter from non-rejected claims.

Claim 8, 10 and 12-14 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Yamamoto '887, as applied to claim 1, 3, 4, 15-20, 22, 24-26, 33 and 34 above, and further in view of Gijzen. Applicants respectfully submit that this rejection has been overcome by the inclusion of subject matter from non-rejected claims.

Claim 32 stands rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over to Yamamoto '887 in view of Gijzen. Applicants respectfully submit that this rejection has

been overcome by the inclusion of subject matter from non-rejected claims.

Claim 35 stands rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over to Yamamoto ‘887, as applied to claims 1, 3, 4, 15-20, 22, 24-26, 33 and 34, above, and further in view of JP 2000-167827 to Yamamoto et al. (Yamamoto ‘827). Applicants respectfully traverse this rejection.

Yamamoto ‘827 has been cited for teaching an compressed article having a diameter to height ratio greater than 1.6. Yamamoto ‘827 teaches a warm compaction process (the poly(arylene ether) powder is heated prior to compression) and so the application of the teachings of Yamamoto ‘827 to a cold compaction process can be problematic – particularly in cases of unexpected results. As shown in the pending application the diameter to height ratio of the compressed article has a surprising impact on the compressive strength of the article. Example 4 and Example 7 are highly similar – varying only in the height to diameter ratio yet Example 4, which has a diameter to height ratio of 1.663, has a compressive strength which is more than twice the compressive strength of Example 7, which has a diameter to height ratio of 0.817. Similarly, Examples 5 and 6 when compared to Examples 8 and 9, show surprisingly high compressive strength. There is no teaching in either Yamamoto reference which indicates that there is a relationship between the diameter to height ratio and compressive strength.

It is respectfully submitted that applicants’ invention is not obvious because the particular combination of claimed elements results in unexpectedly beneficial properties. An applicant can rebut a *prima facie* case of obviousness by presenting comparative test data showing that the claimed invention possesses unexpectedly improved properties or properties that the prior art does not have. *In re Dillon*, 919 F.2d 688, 692-93, 16 U.S.P.Q.2d 1987, 1901 (Fed. Cir. 1990). Reconsideration and withdrawal of this rejection are respectfully requested.

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance are requested.

If there are any additional charges with respect to this Response or otherwise, please charge them to Deposit Account No. 50-1131.

Respectfully submitted,

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